

Remarks

By the foregoing amendment, claims 34, 40, and 43 are amended, and claims 56 and 57 are cancelled. Applicant respectfully submits that no new matter was added by the amendment, as all of the amended matter was either previously illustrated or described in the drawings, written specification and/or claims of the present application. It is respectfully submitted that entry of the foregoing amendment is appropriate as it is being submitted in conjunction with a Request for Continued Examination. Claims 34, 37, 40-46, 49, 53-55, and 58-66 are currently pending.

The Examiner has rejected claims 34 and 40-42 under 35 U.S.C. 103(a) as being unpatentable over Reineke (DE 19726408) in view of Gish (US 3,837,428), and further in view of Smith, Jr. (US 4,424,884). The Examiner also rejected claims 43, 49, 53-59 and 61-64 under 35 U.S.C. 103(a) as being unpatentable over Reineke in view of Gish, and further in view of Celli (US 5,351,783). Among other rejections, the Examiner has rejected claim 37 under 35 U.S.C. 103(a) as being unpatentable over Reineke in view of Gish, Smith Jr., and further in view of Grant (US 4,602,698). Applicant respectfully requests reconsideration and withdrawal of these rejections in light of the foregoing amendment and the following remarks.

Both claim 34 and 43 have been amended to recite a horizontal forcer connecting a gripper with a work platform, wherein the forcer comprises a number of horizontal forcing arms telescopically integrated into each other, and wherein the work

platform is moved horizontally by extracting or retracting the horizontal forcer. This amendment highlights the important feature of the present invention that allows workers to position the work platform at any adjacent position outside the wind turbine, such as near one of the wind turbine blades, and to accommodate different distances between the tower and the blade.

Applicant respectfully submits that none of the cited prior art references, alone or when properly combined, disclose the above feature of the present invention, and therefore the invention is novel and patentable over the prior art of record.

The Examiner has acknowledged that Reineke fails to disclose, among other features, that the work platform is capable of moving horizontally by extracting or retracting a horizontal forcer of the work platform. (*See Office Action*, p. 2). Reineke also fails to disclose the horizontal forcer comprising a number of horizontal forcing arms telescopically integrated into each other, as recited in amended claims 34 and 43. The Gish, Celli and Grant references cited by the Examiner similarly fail to disclose these features of the present invention, in addition to other features.

The Examiner asserts that Smith Jr. discloses a work platform that is capable of moving horizontally by extracting or retracting a horizontal forcer, and that it would have been obvious to one of ordinary skill in the art to modify the teachings of Reineke with

the teachings of Smith Jr. to arrive at the present invention. Applicant respectfully disagrees.

First, Applicant disagrees with the Examiner that Smith Jr. discloses a work platform capable of moving horizontally by extracting or retracting a horizontal forcer, which comprises a number of horizontal forcing arms telescopically integrated into each other. The Examiner points to the wheel 150 and the ram 152 of Smith, Jr. in support of his argument that this reference discloses the horizontal forcing element of the present invention, and states that when ram 152 is extended, it moves the platform horizontally away from the building. (See Final Office Action, page. 5). However, Smith, Jr. expressly teaches that the when the ram 152 is extended, it causes the wheel 150 to be engageable with the exterior surface of the building to provide a rolling surface between the building and the gondola, which facilitates elevational adjustment of the gondola position. (Col. 9, lines 39-44). Nowhere does Smith, Jr. disclose that the ram 152 is capable of moving the gondola horizontally away from the building when extended.

In fact, such design would be contrary to the objective of Smith Jr. Smith Jr. discloses an emergency rescue system including a rescue gondola suspended alongside the exterior face of the building. The gondola is movable to different heights to facilitate rescue of people from different floors of the building. However, there is no advantage of moving the gondola horizontally to any adjacent position outside the building. In contrast, as described above, the work platform of the present invention is

designed to move horizontally with respect to the wind turbine tower to accommodate different distances between the tower and the wind turbine blade being serviced.

In the Advisory Action, the Examiner simply reiterated his statement that "with respect to Smith Jr., if the hydraulic ram 152 is extended it would space is gondola a further distance from the building than where it is retracted." (See Advisory Action, page 2). However, the Examiner did not specify where in the disclosure or figures of Smith Jr. this feature is allegedly disclosed. As discussed above, Applicant disagrees that Smith Jr. discloses a work platform capable of moving horizontally by extracting or retracting a horizontal forcer, which comprises a number of horizontal forcing arms telescopically integrated into each other, as recited by all claims of the present application.

Second, it would not have been obvious to one of ordinary skill in the art to modify the system disclosed in Reineke to include a horizontal forcer for moving a work platform horizontally. Reineke discloses a work platform for servicing a wind turbine including a platform 10 moving vertically along cables 7 between an anchoring device and a wind turbine tower. (Fig. 1). The platform 10 has a cutout section 11 corresponding to a profile of a rotor blade 2. (Fig. 5). When the platform moves upwards, the rotor blade, positioned parallel to the tower in the direction of the tower foot, projects into the cutout. Thus, Reineke already provides a solution for accommodating positioning of the platform with respect to the wind turbine tower and

the wind turbine blade, and one of ordinary skill in the art would not have been motivated to look any further for a different solution.

Additionally, it is not clear that the modification proposed by the Examiner would even work with the design disclosed in Reineke. For example, if the platform is moved horizontally away or towards the wind turbine tower, the blade would no longer match with the cutout provided in the platform. It is well settled that if the proposed modification would render the prior art invention being modified unsatisfactory for its intended purpose, then there is no suggestion or motivation to make the proposed modification. MPEP 2143.01; *In re Gordon*, 733 F.2d 900, 221 USPQ2d 1125 (Fed. Cir. 1984).

Obviousness requires not only a suggestion of all the elements in a claim (*CFMT, Inc. v. Yieldup Int'l Corp.*, 349 F.3d 1333, 1342 (Fed. Cir. 2003)), but also, "a reason that would have prompted a person of ordinary skill in the relevant field to combine the elements in the way the claimed new invention does." *KSR Int'l Co. v. Teleflex Inc.*, 127 S.Ct. 1727, 1741, 82 USPQ2d 1385 (2007). Claims 34 and 43, as well as all claims dependent therefrom, are novel and patentable over the cited prior art references because none of these references, alone or when properly combined, disclose a horizontal forcer connecting a gripper with a work platform, wherein the forcer comprises a number of horizontal forcing arms telescopically integrated into each other,

and wherein the work platform is moved horizontally by extracting or retracting the horizontal forcer.

Conclusion

For the foregoing reasons, Applicant respectfully submits that all pending claims, namely claims 34, 37, 40-46, 49, 53-55, and 58-66, are patentable over the references of record, and earnestly solicits allowance of the same. Applicant further respectfully requests that the non-elected claims 35, 36, 38, 47, 48, and 50 be rejoined and examined because the generic claims 34, 42-46, 53-55, 58, and 61-66 are patentable over the cited references.

Respectfully submitted,

September 14, 2010

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